

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SCOTT L. BAENA, Litigation Trustee : 04-CV-12606-PBS  
of the Lernout & Hauspie Speech Products, :  
N.V. Litigation Trust, :  
 :  
Plaintiff, :  
 :  
v. :  
 :  
KPMG LLP and KLYNVELD PEAT :  
MARWICK GOERDELER :  
BEDRIJFSREVISOREN, :  
 :  
Defendants. :

**PLAINTIFF'S CERTIFICATION PURSUANT TO  
LOCAL RULE 16.1(D)(3)**

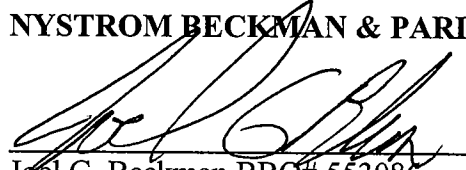
In accordance with Local Rule 16.1(D)(3), Plaintiff and Plaintiff's counsel affirm that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: February 28, 2005

Respectfully submitted,

**NYSTROM BECKMAN & PARIS LLP**

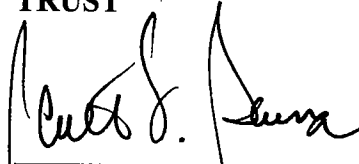


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SPEECH PRODUCTS N.V. LITIGATION  
TRUST**



Scott L. Baena  
Litigation Trustee of the Lernout & Hauspie  
Speech Products N.V. Litigation Trust

**ON BEHALF OF PLAINTIFF**